

SIVIN, MILLER & ROCHE LLP

Attorneys at Law
20 Vesey Street
Suite 1400
New York, New York 10007

Glenn D. Miller
Edward Sivin*
David Roche

Clyde Rastetter

*also member of NJ Bar

Phone: (212) 349-0300
Fax: (212) 406-9462

March 29, 2023

Hon. Leslie G. Foschio
United States District Court
Western District of New York
2 Niagara Square,
Buffalo, NY 14202

Re: Myles Carter v. The City of Buffalo et al.
Case No. 21-cv-954(WMS)(F)

Your Honor:

Please accept this letter as a request to extend the fact discovery deadline for a third time. Since our last extension request, we have made efforts to schedule depositions of two additional New York State Police employees and one additional Buffalo Police Department employee. However, we have not yet been able to secure dates for these depositions or even, in the case of the state police employees, to confirm with defense counsel whether they will be produced by counsel or whether we will need to subpoena them.

I am therefore respectfully requesting an extension of the fact discovery deadline for an additional month from March 31, 2023 to April 30, 2023 so that we can secure these depositions pursuant to subpoena or otherwise.

Thank you for your consideration of this request.

Respectfully,

/s/ David Roche

David Roche

Cc: Michael Murphy, Esq. (via ECF)
Anthony Duddy, Esq. (via ECF)